

U.S. Patent Application Serial NO. 09/841,422
Reply to Office Action mailed November 30, 2004

REMARKS

Favorable reconsideration of this application is requested in view of the above amendments and the following remarks. The Specification and claims 6 and 9 are hereby amended. Claims 1-5, 7-8, and 10-15 are canceled without prejudice or disclaimer. Claims 6 and 9 are rewritten in independent form. The Specification and claims are amended editorially to clarify meaning.

The abstract was objected to for being too long. The abstract is amended to one paragraph of less than 150 words. Favorable reconsideration of the abstract is requested.

The specification was objected to for various informalities. The specification is amended to address the concerns of the Examiner. Favorable reconsideration of the specification is requested.

Applicant notes that none of the amendments were made to overcome an art based rejection. Therefore, such amendments should not be construed in a limiting manner.

Claims 12 and 13 were objected to for various informalities. Claims 12 and 13 are canceled. Applicant is not conceding the correctness of the objection as applied to claims 12 and 13.

Claims 1-15 were rejected for failing to comply with the enablement requirement. Applicant traverses this rejection. The subject matter of the claimed invention is a system and method for servicing through a network (i.e. the internet). Some elements of the claimed system are known in the art and therefore are not deemed necessary to be fully described in the specification. The specific algorithms and techniques for the "take-off" process are well-known, as suggested by the Examiner. Therefore, it would be possible for one skilled in the art to make and/or use the present invention by referring to well-known techniques, for example as disclosed

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in "On-Screen Takeoff 2.0", Press Release, On Center Software, Inc. or DeLeFevre (US 6,438,922), as cited by the Examiner. Favorable reconsideration of claims 1-15 is requested.

Claims 1, 7, and 11-15 were rejected as being anticipated by "On-Screen Takeoff 2.0", Press Release, On Center Software, Inc. Applicant traverses this rejection. Claims 1, 7, and 11-15 are canceled, rendering the rejection moot. Applicant is not conceding the correctness of the rejection as applied to the rejected claims.

Claims 2-5, 8, and 10 were rejected as being unpatentable over "On-Screen Takeoff 2.0", Press Release, On Center Software, Inc. and further in view of DeLeFebre (US 6,438,922). Applicant traverses this rejection. Claims 2-5, 8, and 10 are canceled, rendering the rejection moot. Applicant is not conceding the correctness of the rejection as applied to the rejected claims.

In view of the above, favorable reconsideration in the form of a notice of allowance is requested. Any questions regarding this communication can be directed to the undersigned attorney, Curtis B. Hamre, Reg. No. 29,165, at (612)336-472.

Respectfully submitted,

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